## The Kansas City Southern Railway Company Louisiana & Arkansas Railway Company

301 West 11th Street, Kansas City, Missouri 64105 (Rh. NO. 816 5560303

ROBERT E. ZIMMERMAN Senior Vice President — Law 6996 June 29, 1988

JUL 1 # 1988-8 44 PM

Ms. Noreta R. McGee Secretary Interstate Commerce Commission 12th and Constitution Avenue, N.W. Washington, D.C. 20423

**METERSTATE COMMERCE COMMISSION** 

Re: Release of equipment covered by Conditional Sale Agreement dated as of March 15, 1973, between ACF INDUSTRIES, INCORPORATED and THE KANSAS CITY SOUTHERN RAILWAY COMPANY

Dear Ms. McGee:

Pursuant to 49 U.S.C. 11303 and to the Commission's Rules and Regulations thereunder, as amended, The Kansas City Southern Railway Company transmits herewith five completely executed counterparts of a Bill of Sale and Release of three hundred (300) outside post box cars covered by the above Conditional Sale Agreement and Assignment (said Assignment being to Chemical Bank) and requests the filing and recording of said Bill of Sale and Release with the Interstate Commerce Commission. The original Conditional Sale Agreement and Assignment were recorded on April 20, 1973, and assigned No. 6996.

In accordance with section 1116.4 of Title 49 of the Code of Federal Regulations, the following information is submitted:

(1) The names and addresses of the parties to the conditional Sale Agreement and Assignment are as follows:

Manufacturer: ACF INDUSTRIES, INCORPORATED

750 Third Avenue

New York, New York 10017

<u>Purchaser</u> The Kansas City Southern Railway Company

114 West 11th Street

Kansas City, Missouri 64105

(2) The names and addresses of the parties to the Assignment are as follows:

Manufacturer: ACF INDUSTRIES, INCORPORATED

750 Third Avenue

New York, New York 10017

<u>Assignee:</u>

Chemical Bank 55 Water Street

New York, New York 10041

(3) The equipment covered by the Bill of Sale and Release consist of the following:

Type Quantity Railroad Road Nos.

100-Ton 50'6" Outside Post 300 See Appendix A Attached hereto

There is also enclosed a voucher of The Kansas City Southern Railway Company in the amount of \$10.00 in payment of the required recordation fee. The name of the person to whom five copies of the enclosed Bill of Sale and Release bearing Recordation stamp should be sent to is as follows:

Robert E. Zimmerman, Esq. Senior Vice President-Law The Kansas City Southern Railway Company 114 West 11th Street Kansas City, MO 64105

I hereby certify that I have knowledge of the matters set forth herein.

Sincerely yours,

Robert E. Zimmerman

REZ:i Enc. APPENDIX A

TYPE		QUANTITY	RAILROAD ROAD NOS.					
	0'6" Outside	300		112500		112984		113468
PC	ost Box Cars			112518		112992		113476
				112526 112534		113000 113018		113484 113492
				112542		113016		113492
				112551		113026		113514
				112569		113042		113522
				112577		113051		113531
				112585		113069		113549
				112593		113077		113557
				112607		113085		113565
				112615		113093		113573
			KCS	112623		113107		113581
			KCS	112631	KCS	113115	KCS	113590
			KCS	112640	KCS	113123	KCS	113603
			KCS	112658	KCS	113131	KCS	113611
			KCS	112666	KCS	113140	KCS	113620
				112674	KCS	113158	KCS	113638
			KCS	112682	KCS	113166	KCS	113646
				112691		113174		113654
				112704		113182		113662
				112712		113191		113671
				112721		113204		113689
				112739		113212		113697
				112747		113221		113701
				112755		113239		113719
				112763		113247		113727
				112771		113255		113735
				112780		113263		113743
				112798		113271		113751
				112801		113280		113760
				112810 112828		113298		113778
				112836		113301 113310		113786
				112844		113310		113794 113808
				112852		113336		113816
				112861		113344		113824
				112879		113352		113824
				112887		113361		113841
				112895		113379		113859
				112909		113387		113867
				112917		113395		113875
				112925		113409		113883
				112933		113417		113891
				112941		113425		113905
				112950		113433		113913
				112968		113441		113921
				112976		113450		113930

#### APPENDIX A (Contd.)

TYPE QUANTITY RAILROAD ROAD NOS. 100-Ton 50'6" Outside 300 KCS 113948 KCS 114464 KCS 114987 Post Box Cars -Contd. KCS 113956 KCS 114472 KCS 114995 KCS 113964 KCS 114481 KCS 115002 KCS 113972 KCS 114499 KCS 115011 KCS 113981 KCS 114502 KCS 115029 KCS 113999 KCS 114511 KCS 115037 KCS 114006 KCS 114529 KCS 115045 KCS 114014 KCS 114537 KCS 115053 KCS 114022 KCS 114545 KCS 115061 KCS 114031 KCS 114553 KCS 115070 KCS 114049 KCS 114561 KCS 115088 KCS 114057 KCS 114570 KCS 115096 KCS 114065 KCS 114588 KCS 115100 KCS 114596 KCS 114073 KCS 115118 KCS 114081 KCS 114600 KCS 115126 KCS 114090 KCS 114618 KCS 115134 KCS 114103 KCS 114626 KCS 115142 KCS 114111 KCS 114634 KCS 115151 KCS 114120 KCS 114642 KCS 115169 KCS 114138 KCS 114651 KCS 115177 KCS 114146 KCS 114669 KCS 115185 KCS 114677 KCS 114154 KCS 115193 KCS 114162 KCS 114685 KCS 115207 KCS 114171 KCS 114693 KCS 115215 KCS 114189 KCS 114707 KCS 115223 KCS 114715 KCS 114197 KCS 115231 KCS 114201 KCS 114723 KCS 115240 KCS 114219 KCS 114731 KCS 115258 KCS 114227 KCS 114740 KCS 115266 KCS 114235 KCS 114758 KCS 115274 KCS 114243 KCS 114766 KCS 115282 KCS 114251 KCS 114774 KCS 115291 KCS 114260 KCS 114782 KCS 115304 KCS 114278 KCS 114791 KCS 115312 KCS 114286 KCS 114804 KCS 115321 KCS 114294 KCS 114812 KCS 115339 KCS 114308 KCS 114821 KCS 115347 KCS 114316 KCS 114839 KCS 115355

KCS 114324

KCS 114332

KCS 114341

KCS 114359

KCS 114367

KCS 114375

KCS 114383

KCS 114391

KCS 114405

KCS 114413

KCS 114421

KCS 114430

KCS 114448

KCS 114456

KCS 114847

KCS 114855

KCS 114863

KCS 114871

KCS 114880

KCS 114898

KCS 114901

KCS 114910

KCS 114928

KCS 114936

KCS 114944

KCS 114952

KCS 114961

KCS 114979

KCS 115363

KCS 115371

KCS 115380

KCS 115398

KCS 115401

KCS 115410

KCS 115428

KCS 115436

KCS 115444

KCS 115452

KCS 115461

KCS 115479

KCS 115487

KCS 115495

The Kansas City Southern Railway Company Louisiana & Arkansas Railway Company

301 West 11th Street, Kansas City, Missouri 64105

ASCORDATION TO 9 9 6 -

JUL 1 4 1988-3 - PM

INTERSTATE COMMERCE COMMISSION

Writer's Direct Phone (816) 556-0255

July 11, 1988

Mrs. Mildred Lee Interstate Commerce Commission 12th and Constitution Avenue, N.W. Room 2303 Washington, D. C. 20423

> Le: Release of equipment covered by Conditional Sale Agreement dated as of March 15, 1973, between ACF INDUSTRIES, INCORPORATED and THE KANSAS CITY SOUTHERN RAILWAY COMPANY

Dear Miss Lee:

ROBERT E. ZIMMERMAN Senior Vice President — Law

In accordance with our telephone discussion today, we are forwarding our check in the sum of \$3.00 representing payment of the additional filing fee.

Thanking you for your courtesy in calling this to our attention, I am

Sincerely yours,

Robert E. Zimmerman

REZ:i Enc.

# Interstate Commerce Commission Washington, D.C. 20423

OFFICE OF THE SECRETARY

7/15/88

Robert E. Zimmerman, Esq. Senior Vice Pres.-Law The Kansas City Southern Railway Co. 114 Vest 11th Street Kansas City, M6 64105

Dear

Sir

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on  $\frac{7}{15}/88$  at  $\frac{3:30PM}{8}$ , and assigned recordation number(s).  $\frac{6996-A}{8}$ 

Sincerely yours,

Vereta R. M. Gre

Secretary

Enclosure(s)



# JUL 1 4 1988-3 30 PM

### INTERSTATE COMMERCE COMMISSION

BILL OF SALE

AND

RELEASE

From

CHEMICAL BANK

as Agent

of

EQUIPMENT COVERED BY

CONDITIONAL SALE AGREEMENT

DATED AS OF MARCH 15, 1973

BETWEEN

ACF INDUSTRIES, INCORPORATED

and

THE KANSAS CITY SOUTHERN RAILWAY COMPANY

#### BILL OF SALE

AND

#### RELEASE

#### KNOW ALL MEN BY THESE PRESENTS:

CHEMICAL BANK, as Agent, a New York Corporation (hereinafter called the Assignee), does hereby acknowledge and declare that:

- (1) Pursuant to an Agreement and Assignment dated as of March 15, 1973, it is the Assignee for a valuable consideration of all and singular the right, title and interest of ACF INDUSTRIES, INCORPORATED a New Jersey corporation (hereinafter called the Manufacturer), in, under and to a Conditional Sale Agreement dated as of March 15, 1973, by and between the Manufacturer and THE KANSAS CITY SOUTHERN RAILWAY COMPANY, a Missouri corporation (hereinafter called the Railroad), covering the construction, sale and delivery by the Manufacturer to the Railroad of the following railroad equipment:
  - 300 100-Ton 50'6" Outside Post Box Cars, bearing Railroad's Car Numbers as set forth in APPENDIX A attached hereto;

which Conditional Sale Agreement and Agreement and Assignment, pursuant to 49 U.S.C. 11303 were filed and recorded with the Interstate Commerce Commission on April 20, 1973. and assigned Recordation No. 6996.

(2) All and singular the terms and conditions of said Conditional Sale Agreement to be by the Railroad done, carried out, complied with, and performed, including payment of the purchase price of the above-described railroad equipment, with interest thereon, have been duly done, carried out, complied with and performed; and

(3) The Assignee hereby releases the above-described railroad equipment from liens and encumbrances created or retained in or by said Conditional Sale Agreement, or in said Agreement and Assignment.

The Assignee, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration paid by the Railroad at or before the execution and delivery of these presents, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and set-over unto the Railroad, its successors and assigns, the above-described railroad equipment.

To have and to hold all and singular the above described railroad equipment to the Railroad, its successors and assigns, for its and their own use and behoof forever.

IN WITNESS WHEREOF, the Assignee has caused this instrument to be executed by its undersigned officers, and its corporate seal to be hereunto affixed, duly attested, this 2/57 day of \_\_\_\_\_\_\_\_, 1988.

CHEMICAL BANK

Its SENIOR TRUST OFFICER

ATTEST:

Its Frank Officer

STATE OF NEW YORK SS. COUNTY OF NEW YORK

On this  $\frac{21^{57}}{}$  day of  $\frac{\text{JUNE}}{}$ , 1988, before me personally R. LORENZEN appeared to me personally known, who, **SENIOR TRUST OFFICER** being duly sworn, says that he is a of CHEMICAL BANK, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Notary Public, State of New York
No. 24-4736804
Qualified in Kings County
Certificate filed in New York County
Commission Expires April 30, 1989

#### APPENDIX A

TYPE	QUANTITY	RAILROAD ROAD NOS.		
TYPE  100-Ton 50'6" Outside Post Box Cars	QUANTITY 300	KCS 112500 KCS 112518 KCS 112526 KCS 112534 KCS 112542 KCS 112551 KCS 112557 KCS 112569 KCS 112577 KCS 112585 KCS 112607 KCS 112607 KCS 112615 KCS 112623 KCS 112631 KCS 112640 KCS 112658 KCS 112666 KCS 112666 KCS 112674 KCS 112674 KCS 112674 KCS 112704 KCS 112704 KCS 112704 KCS 112704 KCS 112704 KCS 112704 KCS 112705 KCS 112707 KCS 112707 KCS 112707 KCS 112708 KCS 112708 KCS 112709 KCS 112708 KCS 112708 KCS 112810 KCS 112828 KCS 112836	KCS 112984 KCS 112992 KCS 113000 KCS 113018 KCS 113026 KCS 113034 KCS 113042 KCS 113051 KCS 113069 KCS 113069 KCS 113077 KCS 113107 KCS 113107 KCS 113115 KCS 113123 KCS 113123 KCS 113140 KCS 113158 KCS 113140 KCS 113158 KCS 113140 KCS 113158 KCS 113166 KCS 113174 KCS 113182 KCS 113191 KCS 113204 KCS 113212 KCS 113221 KCS 113221 KCS 113221 KCS 113221 KCS 113221 KCS 113247 KCS 113255 KCS 113263 KCS 113271 KCS 113280 KCS 113298 KCS 113298 KCS 113298 KCS 113298 KCS 113298 KCS 113310	KCS 113468 KCS 113476 KCS 113484 KCS 113506 KCS 113506 KCS 113514 KCS 113522 KCS 113531 KCS 113549 KCS 113557 KCS 113565 KCS 113573 KCS 113581 KCS 113581 KCS 113603 KCS 113611 KCS 113620 KCS 113638 KCS 113646 KCS 113654 KCS 113654 KCS 113671 KCS 113689 KCS 113671 KCS 113697 KCS 113701 KCS 113701 KCS 113701 KCS 113701 KCS 113719 KCS 113751 KCS 113751 KCS 113760 KCS 113778 KCS 113778 KCS 113786 KCS 113786
		KCS 112763 KCS 112771 KCS 112780 KCS 112798 KCS 112801 KCS 112810 KCS 112828	KCS 113247 KCS 113255 KCS 113263 KCS 113271 KCS 113280 KCS 113298 KCS 113301	KCS 113727 KCS 113735 KCS 113743 KCS 113751 KCS 113760 KCS 113778 KCS 113786
		KCS 112844 KCS 112852 KCS 112861 KCS 112879 KCS 112887 KCS 112895 KCS 112909 KCS 112917 KCS 112925 KCS 112933 KCS 112941	KCS 113328 KCS 113336 KCS 113344 KCS 113352 KCS 113361 KCS 113379 KCS 113387 KCS 113409 KCS 113417 KCS 113425	KCS 113808 KCS 113816 KCS 113824 KCS 113832 KCS 113841 KCS 113859 KCS 113867 KCS 113875 KCS 113883 KCS 113891 KCS 113905
		KCS 112950 KCS 112968 KCS 112976	KCS 113433 KCS 113441 KCS 113450	KCS 113913 KCS 113921 KCS 113930

#### APPENDIX A (Contd.)

APPENDIX A (Contd.)						
TYPE	QUANTITY RAILROAD ROAD NOS.					
100-Ton 50'6" Outside Post Box Cars	300 K -Contd. K K K K K K K K K K K K K K K K K K K	CS 113948 KCS CS 113956 KCS CS 113964 KCS CS 113972 KCS CS 113981 KCS CS 113999 KCS CS 114006 KCS CS 114014 KCS CS 114012 KCS CS 114031 KCS CS 114049 KCS	114464 K 114472 K 114481 K 114499 K 114502 K 114511 K 114529 K 114537 K 114537 K 114545 K 114553 K	CCS 114987 CCS 114995 CCS 115002 CCS 115011 CCS 115029 CCS 115037 CCS 115045 CCS 115061 CCS 115061 CCS 115070 CCS 115088 CCS 115096		
	K K K K K K K K K	CS 114065 KCS CS 114073 KCS CS 114081 KCS CS 114090 KCS CS 114103 KCS CS 114111 KCS CS 114120 KCS CS 114138 KCS CS 114146 KCS CS 114154 KCS CS 114162 KCS CS 114171 KCS	114588 K 114596 K 114600 K 114618 K 114626 K 114634 K 114642 K 114651 K 114669 K 114677 K 114685 K 114693 K	CCS 115100 CCS 115118 CCS 115126 CCS 115134 CCS 115142 CCS 115151 CCS 115169 CCS 115177 CCS 115185 CCS 115185 CCS 115193 CCS 115207 CCS 115215		
	K K K K K K K K K	CS 114197 KCS CS 114201 KCS CS 114219 KCS CS 114227 KCS CS 114235 KCS CS 114243 KCS CS 114251 KCS CS 114260 KCS CS 114278 KCS CS 114286 KCS CS 114294 KCS	114715 K 114723 K 114731 K 114740 K 114758 K 114766 K 114774 K 114782 K 114791 K 114804 K 114812 K	CCS 115223 CCS 115231 CCS 115240 CCS 115258 CCS 115266 CCS 115274 CCS 115282 CCS 115291 CCS 115304 CCS 115312 CCS 115321 CCS 115339		
	K K K K K K K K K K	CS 114316 KCS CS 114324 KCS CS 114332 KCS CS 114341 KCS CS 114359 KCS CS 114367 KCS CS 114375 KCS CS 114383 KCS CS 114391 KCS CS 114405 KCS CS 114413 KCS CS 114421 KCS CS 1144430 KCS CS 114448 KCS	114839 K 114847 K 114855 K 114863 K 114871 K 114898 K 114901 K 114910 K 114910 K 114928 K 114936 K 114944 K 114952 K 114961 K	CCS 115347 CCS 115355 CCS 115363 CCS 115371 CCS 115380 CCS 115491 CCS 115401 CCS 115428 CCS 115428 CCS 115436 CCS 115444 CCS 1154461 CCS 115461 CCS 115461		
	K	OD 114410 VO2	114979 к	CS 115495		